

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5**

**IN THE MATTER OF:**

**FCA US, LLC's Wrangler Paint Facility  
3800 Stickney Avenue  
Toledo, Ohio 43608**

**ATTENTION:**

**Environmental Management**

**Request to Provide Information Pursuant to the Clean Air Act**

The U.S. Environmental Protection Agency is requiring Fiat Chrysler Automobiles US, LLC (FCA or you) to submit certain information about the facility at 3800 Stickney Avenue, Toledo, Ohio. Appendix A provides the instructions needed to answer this information request, including instructions for electronic submissions. Appendix B specifies the information that you must submit. You must send this information to us within 45 calendar days after you receive this request.

We are issuing this information request under Section 114(a) of the Clean Air Act (the CAA), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

FCA owns and operates an emission source(s) at the Toledo Assembly Complex facility in Toledo, Ohio. The Toledo Assembly Complex is comprised of the Toledo North Assembly Plant and the Toledo Supplier Park. This information request pertains to the emission units located at and/or referred to as "Wrangler Paint" or "JK" at 3800 Stickney Avenue, Toledo, Ohio.

We are requesting this information to determine whether your emission source is complying with the Clean Air Act.

FCA must send all required information to:

Attn: Compliance Tracker, AE-17J  
Air Enforcement and Compliance Assurance Branch  
U.S. Environmental Protection Agency  
Region 5  
77 W. Jackson Boulevard  
Chicago, Illinois 60604

FCA must submit all required information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

As explained more fully in Appendix C, you may assert a claim of business confidentiality under 40 C.F.R. Part 2, Subpart B for any part of the information you submit to us. Information subject to a business confidentiality claim is available to the public only to the extent, and by means of the procedures, set forth at 40 C.F.R. Part 2, Subpart B. If you do not assert a business confidentiality claim when you submit the information, EPA may make this information available to the public without further notice. You should be aware, moreover, that pursuant to Section 114(c) of the CAA and 40 C.F.R. § 2.301(a) and (f), emissions data, standards and limitations are not entitled to confidential treatment and shall be made available to the public notwithstanding any assertion of a business confidentiality claim. Appendix C provides additional information regarding the meaning and scope of the term “emissions data.”

This information request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation.

We may use any information submitted in response to this request in an administrative, civil or criminal action.

Failure to comply fully with this information request may subject you to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413.

You should direct any questions about this information request to Marie St. Peter, the engineer assigned to the case, at 312 886-4746 or to Cynthia Kawakami, the attorney assigned to this case, at (312) 886-0564.

Date

5/13/16

George T. Czerniak  
Director  
Air and Radiation Division

## **Appendix A**

When providing the information requested in Appendix B, use the following instructions and definitions.

### **Instructions**

1. Provide a separate narrative response to each question and subpart of a question set forth in Appendix B.
2. Precede each answer with the number of the question to which it corresponds and at the end of each answer, identify the person(s) who provided information used or considered in responding to that question, as well as each person consulted in the preparation of that response.
3. Indicate on each document produced, or in some other reasonable manner, the number of the question to which it corresponds.
4. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
5. Where information or documents necessary for a response are neither in your possession nor available to you, indicate in your response why the information or documents are not available or in your possession, and identify any source that either possesses or is likely to possess the documents or information.
6. If information not known or not available to you as of the date of submission later becomes known or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is false or incorrect, you must notify EPA as soon as possible.

### **Electronic Submissions**

To aid in our electronic recordkeeping efforts, we request that you provide all documents responsive to this information request in an electronic format according to paragraphs 1 through 6, below. These submissions are in lieu of hard copy.

1. Provide all responsive documents in Portable Document Format (PDF) or similar format, unless otherwise requested in specific questions. If the PDFs are scanned images, perform at least Optical Character Recognition (OCR) for "image over text" to allow the document to be searchable. Submitters providing secured PDFs should also provide unsecured versions for EPA use in repurposing text.
2. When specific questions request data in electronic spreadsheet form, provide the data and corresponding information in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should

allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

3. Provide submission on physical media such as compact disk, flash drive or other similar item.
4. Provide a table of contents for each compact disk or flash drive containing electronic documents submitted in response to our request so that each document can be accurately identified in relation to your response to a specific question. *We recommend the use of electronic file folders organized by question number.* In addition, each compact disk or flash drive should be labeled appropriately (e.g., Company Name, Disk 1 of 4 for Information Request Response, Date of Response).
5. Documents claimed as confidential business information (CBI) must be submitted on separate disks/drives apart from the non-confidential information. This will facilitate appropriate records management and appropriate handling and protection of the CBI. Please follow the instructions in Appendix C for designating information as CBI.
6. Certify that the attached files have been scanned for viruses and indicate what program was used.

### **Definitions**

All terms used in this information request have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et seq.*, or in the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Automobiles and Light-Duty Trucks at 40 C.F.R. 63, Subpart IIII.

1. The terms “document” and “documents” shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in translation to a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any documents.
2. The terms “relate to” or “pertain to” (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
3. The term “Current Facility” shall include any/all operations and equipment that were/are involved in the coating operations of any/all vehicles at the Wrangler Paint Facility located within the Toledo Supplier Park.

4. The term "capital appropriation request" shall mean any/all documents used by facility personnel in seeking management approval for planned expenditures at JK. These documents are sometimes referred to as authorizations for expenditures, capital requests or other, similar names, but are not limited to such terms.

## **Appendix B**

### **Information You Are Required to Submit to EPA**

FCA must submit the following information pursuant to Section 114(a) of the CAA, 42 U.S.C. § 7414(a)

1. Provide the construction commencement and initial startup date of the Current Facility.
2. Provide a list of all models and generations of vehicles made at the Current Facility since its initial startup. This list should include, but is not limited to, the first day of production at the Current Facility, last day of production at the Current Facility, dimensions of the car body (e.g. length, width, height, surface area) and any changes of the vehicle body from the previous generation.
3. Provide a detailed process flow diagram of the emission unit K303 – Topcoat (EU 303), at the Current Facility, identifying all points of emissions (e.g. applicators), and the emission points' associated control unit(s). On the diagram, provide a key for clarity purposes and identify the current types of applicators used, the applicator manufacturer and model, and the zones (e.g. Basecoat Zone A) within the emission unit where the applicator is used. Additionally, provide a list of the installation date(s) of the current applicators and provide a copy of the manuals of all of the paint applicators in the emission unit.
4. Provide a spreadsheet, in Microsoft Excel or compatible format, that includes the following since the startup of the Current Facility:
  - a. the number of jobs produced for each model per month at the facility;
  - b. amount of material and coating (in gallons) used each month for the emission unit K301 – E-Coat (EU K301);
  - c. the monthly production hours for emission unit EU K301;
  - d. amount of material and coating (in gallons) used each month for the emission unit K302 – Powder Anti-Chip (EU 302);
  - e. the monthly production hours for emission unit EU K302;
  - f. amount of material and coating (in gallons) used each month for the EU K303;
  - g. the monthly production hours for EU K303;
  - h. amount of material and coating (in gallons) used each month for emission unit P301 – Sealer and Adhesive Application (EU P301);
  - i. the monthly production hours for EU P301;
  - j. amount of material and coating (in gallons) used each month for emission unit P304 – Foam Injection (Deadener) (EU P304); and,

- k. the monthly production hours for EU P304.
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- 5. For every emission unit in the Current Facility, provide the monthly VOC emissions, in Microsoft Excel or compatible format, from initial startup to the present. Provide an example calculation demonstrating how the emissions were calculated.
  - 6. For all deductions in VOC emissions claimed through purge and solvent reclamation in response to Question 5 provide, in Microsoft Excel or compatible format, the date and amount of each batch affected, the total amount of VOCs in the incoming batch, and the amount of VOCs removed.
  - 7. For every emission unit in the Current Facility, from initial startup to the present, provide the monthly HAP emissions from the following operations on a pounds per gallon of coating solids deposited basis:
    - a. electrodeposition primer;
    - b. primer-surfacer;
    - c. topcoat;
    - d. final repair;
    - e. glass bonding primer;
    - f. glass bonding deadener;
    - g. glass bonding adhesive; and
    - h. all coatings and thinners.
  - 8. For every emission unit in the Current Facility, from initial startup to the present, provide the monthly HAP emissions from the following operations on a pound per pound basis:
    - a. adhesive and sealer material that are not components of glass bonding systems; and,
    - b. deadener materials.
  - 9. For each oven integral to the operations of EU K303 and EU K301 provide a spreadsheet, in Microsoft Excel or compatible format, that provides the following parameters during periods of operations since November 1, 2015:
    - a. direction of air flow in the oven;
    - b. facial velocity (ft/min) through all natural draft openings;
    - c. pressure drop (inches of water) across the enclosure;
  - 10. Provide documents that clearly demonstrate the maximum hourly production capability of the Current Facility.
  - 11. Provide a narrative, along with a timeline, that describes any federally enforceable emission or production limits at the Current Facility that were enacted by U.S. EPA and/or Ohio EPA (OPEA) since January 1, 2008 and the reason why it was

enacted. Additionally, provide copies of the applications submitted by the facility to U.S. EPA and/or OEPA requesting the federally enforceable limit.

12. Describe, in a chronologically organized table, all capital and/or maintenance expenditures greater than \$50,000 made for emission units and process equipment at the Current Facility, including, but not limited to, capital expenditures associated with changes in paint, paint applicators, production rates, line speed rates, emission rates, fuel types, fuel feed operations and/or air pollution control equipment that have occurred since startup of the Current Facility. This table must identify the unit, approximate construction commencement date of each project, the construction completion and implementation dates of each project, a brief description of each project that identifies the work completed, the dollar amount approved, and the dollar amount expended. If FCA or its predecessor(s) received a permit for a described project, indicate the permit number.
13. For each capital expenditure project identified in response to Question 12 above that cost more than \$100,000 provide copies of all capital appropriation requests, financial justifications, and authorizations, including attachments and addenda, generated by or prepared on behalf of FCA or its predecessor(s) concerning each project.
14. Indicate whether the Current Facility is a new, reconstructed, or existing source under 40 C.F.R. 63, Subpart IIII, and provide a detailed explanation for FCA's position. Include any correspondence FCA had with state, local or federal permitting authority regarding the determination of the Current Facility's affected source status.
15. Provide a copy of the facility's Notification of Compliance Status for the National Emission Standards for Hazardous Air Pollutants for the Surface Coating of Light-Duty Trucks and Automobiles (NESHAP IIII), as required by 40 C.F.R. § 63.3110(c). If the facility demonstrated compliance with the emission standards set forth in NESHAP IIII by use of an add-on control device, provide copies of the performance testing done to establish their capture and/or destruction efficiency.
16. Provide copies of all air permit applications submitted to Ohio EPA (OEPA) and/or U.S. EPA and all air permits received that relate to any physical changes, modifications or production changes at the Current Facility.
17. From the initial startup of the Current Facility to the present, provide copies of the full test reports for all complete or partial air emissions testing for VOCs. VOC emission testing includes, but is not limited to, compliance testing, engineering testing and testing for general information.

18. Provide copies of all transfer efficiency testing, destruction efficiency testing, removal efficiency, and capture efficiency testing conducted on the Current Facility since startup of the facility.
19. Provide a copy of each feasibility or engineering study conducted since the construction of the Current Facility to determine present and future production potential for the plant as a whole and for individual process units or pieces of equipment, including both existing equipment and new construction.
20. Provide a list of all air enforcement actions related to the Current Facility taken by any state or local regulatory agency, or air related citizen complaints, from January 1, 2001 to the present.
21. Provide copies of all semiannual compliance reports generated to demonstrate compliance with NESHAP IIII since startup of the facility except for the following periods: July-December 2012, January-June 2013, July-December 2013. Additionally, provide records of all startup, shutdown, and malfunction reports.
22. Provide copies of any/all written correspondence, determinations, documents, or communications with U.S. EPA or OEPA concerning the applicability of Prevent of Significant Deterioration (PSD) and major non-attainment New Source Review (NSR) rules regarding the construction or modification of the Current facility.
23. To the extent not provided before, provide copies of any correspondence between FCA and the state, local, or federal permitting authorities regarding the installation or modification of any emissions unit or the emission limits for any emissions unit at the Current Facility, including, but not limited to, applicability determinations, regulatory interpretations and approval orders.

## **Appendix C**

### **Confidential Business and Personal Privacy Information**

#### **Assertion Requirements**

You may assert a business confidentiality claim covering any parts of the information requested in the attached Appendix B, as provided in 40 C.F.R. § 2.203(b).

Emission data provided under Section 114 of the CAA, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2.

“Emission data” means, with reference to any source of emissions of any substance into the air:

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. § 2.301(a)(2)(i)(A), (B) and (C).

To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document for which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a caption or other suitable form of notice to indicate the intent to claim confidentiality. The stamped or typed caption or other suitable form of notice should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date, if any, when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by EPA only to the extent permitted and by means of the procedures set forth at Section 114(c) of the CAA and 40 C.F.R Part 2. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the Request to Provide Information as a waiver of that claim, and the information may be made available to the public without further notice to you.

## Determining Whether the Information is Entitled to Confidential Treatment

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you must satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; that the information is not and has not been reasonably obtainable by legitimate means without your consent and that disclosure of the information is likely to cause substantial harm to your business's competitive position.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking that you support your confidential business information (CBI) claim. If you receive such a letter, you must respond within the number of days specified by EPA. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential **by page, paragraph, and sentence**. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requestor without further notice to you. For each item or class of information that you identify as being CBI, EPA will ask that you answer the following questions, giving as much detail as possible:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a special event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question number 1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
4. Is the information contained in any publicly available databases, promotional publications, annual reports or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
5. Has any governmental body made a determination as to confidentiality of the information? If so, please attach a copy of the determination.
6. For each category of information claimed as confidential, **explain with specificity** why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?

7. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
8. Is there any other information you deem relevant to EPA's determination regarding your claim of business confidentiality?

If you receive a request for a substantiation letter from the EPA, **you bear the burden of substantiating your confidentiality claim.** Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it "CBI." Information so designated will be disclosed by EPA only to the extent allowed by and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

### **Personal Privacy Information**

Please segregate any personnel, medical and similar files from your responses and include that information on a separate sheet(s) marked as "Personal Privacy Information." Disclosure of such information to the general public may constitute an invasion of privacy.

**CERTIFICATE OF MAILING**

I, Loretta Shaffer, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Environmental Management  
FCA US, LLC  
4400 Chrysler Drive  
Toledo, Ohio 43608

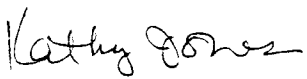
I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by e-mail to the following:

Robert Hodanbosi  
Chief, Division of Air Pollution  
Ohio Environmental Protection Agency  
bob.hodanbosi@ohio.epa.gov

James Kavalec  
Enforcement Program Manager, Division of Air Pollution  
Control  
Ohio Environmental Protection Agency  
jim.kavalec@epa.ohio.gov

Karen Granata  
Administrator, Department of Environmental Services  
City of Toledo  
karen.granata@toledo.oh.gov

On the 16<sup>th</sup> day of May 2016.

  
\_\_\_\_\_  
for Loretta Shaffer, Program Technician  
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7011 1156 0000 2640 8664